

CHRISTINE E. DRAGE, APC  
Nevada Bar No. 6624  
JOHN T. WENDLAND, ESQ.  
Nevada Bar No. 7207  
WEIL & DRAGE, APC  
2500 Anthem Village Drive  
Henderson, NV 89052  
(702) 314-1905 • Fax (702) 314-1909  
[cdrage@weildrage.com](mailto:cdrage@weildrage.com)  
[jwendland@weildrage.com](mailto:jwendland@weildrage.com)  
Attorneys for Defendant CHARLES ABBOTT  
ASSOCIATES, INC.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

TOP RANK BUILDERS, INC., a Nevada  
Corporation; and EFRAIN RENE MORALES  
MORENO, individually; and as sole officer and  
shareholder of TOP RANK BUILDERS, INC.,

Plaintiffs,

v.

CHARLES ABBOTT ASSOCIATES, INC., a  
California Corporation; WILLIAM B.  
BROWNING, an individual; AMERICAN  
WIND & SOLAR, INC., a Nevada Corporation;  
SUNDANCE BUILDERS, LLC, a Nevada  
Limited Liability Company; THOMAS R.  
FRANK, an individual; COUNTY OF NYE, a  
political subdivision of the State of Nevada;  
DOES I through X, inclusive; and ROE  
ENTITIES XI through XX, inclusive,

Defendants.

Case No.: 2:16-cv-02903-APG-CWH

**JOINT REQUEST TO MODIFY THE  
ORDER GRANTING STIPULATION TO  
STAY DISCOVERY (Doc. #44)**

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**JOINT REQUEST TO MODIFY THE ORDER GRANTING STIPULATION TO STAY  
DISCOVERY (Doc. #44)**

On March 13, 2018, the Court granted the Parties' joint request to stay discovery to allow the Parties to proceed to a settlement conference or mediation. (Doc. #44). In issuing said ruling, the Court ordered that the Parties must file a joint status report upon completion of the settlement conference or by June 11, 2018, whichever is sooner. (*Id.*) In prior negotiations concerning resolution avenues, the Parties agreed to mediate the action with Stewart Bell of JAMS, a highly successful and well respected mediator. Unfortunately, due to Mr. Bell being in high demand and due to the conflicting schedules of various party and carrier representatives and counsels, several of whom will need to travel to Las Vegas from out of state, the earliest available date that the Parties could mediate with Mr. Bell is August 1, 2018. The Parties have proceeded to lock in this date with Mr. Bell.

As the August 1, 2018 mediation date is after the Court's June 11, 2018 deadline in the Order Granting the Stipulation to Stay Discovery (Doc. #44), the Parties herein jointly request that the deadline for filing a joint status report be extended to a date no sooner than fourteen (14) days after August 1, 2018. The Parties will certainly file, as soon as possible, a joint status report immediately after August 1, 2018.

DATED this 19<sup>th</sup> day of June, 2018.

DATED this 19<sup>th</sup> day of June, 2018.

WEIL & DRAGE, APC

THE WRIGHT LAW GROUP, P.C.

*/s/ John T. Wendland*

*/s/ John Henry Wright*

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CHRISTINE E. DRAGE, ESQ.

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JOHN HENRY WRIGHT, ESQ.

Nevada Bar No. 6624

Nevada Bar No. 6182

JOHN T. WENDLAND, ESQ.

PHILIP S. GERSON, ESQ.

Nevada Bar No. 7207

Nevada Bar No. 5964

2500 Anthem Village Drive

2340 Paseo Del Prado, Suite D-305

Henderson, Nevada 89052

Las Vegas, NV 89102

Attorneys for Defendant,

Attorneys for Plaintiffs,

CHARLES ABBOTT ASSOCIATES, INC.

TOP RANK BUILDERS, INC. and EFRAIN

RENE MORALES MORENO

1 DATED this 19<sup>th</sup> day of June, 2018.

2 MARQUIS AURBACH COFFING

3 /s/ Jonathan B. Lee

4 CRAIG ANDERSON, ESQ.

5 Nevada Bar No. 6882

6 JONATHAN B. LEE, ESQ.

7 Nevada Bar No. 13524

8 10001 Park Run Drive

9 Las Vegas, Nevada 89145

10 Attorneys for Defendant,

11 COUNTY OF NYE

12 DATED this 19<sup>th</sup> day of June, 2018.

13 WILSON, ELSER, MOSKOWITZ,

14 EDELMAN & DICKER LLP

15 /s/ David S. Kahn

16 DAVID S. KAHN, ESQ.

17 Nevada Bar No. 7038

18 300 S. Fourth Street, 4<sup>th</sup> Fl.

19 Las Vegas, Nevada 89101

20 Attorneys for Defendant,

21 WILLIAM BROWNING

DATED this 19<sup>th</sup> day of June, 2018.

WOODBURY LAW

/s/ Rodney S. Woodbury

RODNEY S. WOODBURY, ESQ.

Nevada Bar No. 7216

50 S. Stephanie Street, Suite 201

Henderson, Nevada 89012

Attorneys for Defendants,

AMERICAN WIND & SOLAR, INC. and

WILLIAM BROWNING

**ORDER**

IT IS HEREBY ORDERED that Order Granting the Stipulation to Stay Discovery (Doc. #44) is hereby modified, with the Parties required to file a joint status report on or within fourteen (14) days upon completion of the mediation on August 1, 2018.

DATED this 26<sup>th</sup> day of June, 2018.

  
UNITED STATES MAGISTRATE JUDGE

CASE NO. 2:16-cv-02903-APG-CWH  
Top Rank Builders, Inc. v. Charles Abbott  
Associates, Inc.